

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS**

BONNIE FISH, CHRISTOPHER MINO,
MONICA LEE WOOSLEY, LYNDA D.
HARDMAN, and EVOLVE BANK &
TRUST, an Arkansas bank and trust company,

Plaintiffs,

vs.

LEE MORGAN, ASHA MORGAN MORAN,
CHANDRA ATTIKEN, and MORGAN
FAMILY FOUNDATION,

Defendants.

No. 1:09-cv-01668

Honorable Jorge L. Alonso

Honorable Maria Valdez

NOTICE OF INTENT TO DISTRIBUTE SETTLEMENT PROCEEDS

Counsel for Plaintiffs Bonnie Fish, Christopher Mino, Monica Lee Woosley, Lynda Hardman, and Evolve Bank & Trust (“Plaintiffs’ Counsel”) respectfully submit this Notice of Intent to Distribute Settlement Proceeds (the “Notice”). Plaintiffs’ Counsel submits this Notice consistent with the representation agreements under which Plaintiffs retained Plaintiffs’ Counsel (the “Agreements”), Plaintiffs’ Counsel’s Petition for Award of Attorneys’ Fees and Reimbursement of Costs (Docket No. 783) (the “Petition”), and this Court’s Order regarding the Petition (Docket No. 786) (the “Order”).

In its Order, the Court held it “lacks any power to tell plaintiffs or their counsel what to do with the GreatBanc settlement proceeds.” Order at 3. The proceeds are \$700,000, which Plaintiffs’ Counsel currently holds in a trust account. Plaintiffs and Plaintiffs’ Counsel have agreed on how they plan to distribute the proceeds, as reflected in the Agreements, the Petition, and this Notice. Specifically, absent a Court Order to the contrary, Plaintiffs’ Counsel will

transfer all of the \$700,000 out of the trust account and into Plaintiffs' Counsel's general law firm bank accounts on or after March 15, 2018 to partially reimburse Plaintiffs' Counsel for out of pocket costs they advanced during the pendency of the litigation.

This distribution plan is consistent with the Agreements, attached to the Petition as its Exhibits A & B, which provide for any amounts recovered in the litigation to first go to Plaintiffs' Counsel to reimbursement them for cost advances. *See* Petition at 3, 5 ("Plaintiffs agreed that the first dollar of any recovery would be applied to reimburse Counsel for cost advances."). Given that the Court has concluded that it lacks jurisdiction to make any ruling regarding the proceeds, *see* Order at 3, Plaintiffs' Counsel believes that proceeding with the distribution in accordance with the terms of the Agreements is appropriate.

Plaintiffs' Counsel have discussed the plan of distribution and this Notice with each client representative, specifically including Bonnie Fish, Christopher Mino, Monica Lee Woosley, Lynda D. Hardman, and Evolve Bank & Trust, and each client representative has had an opportunity to review this Notice. No client representative objects to the filing of this Notice, which is consistent with each client's representation agreement. *See* Petition at Exhibits A & B.

Dated: February 15, 2018

Respectfully Submitted,

By: /s/ James A. Dyer

James A. Dyer

Toby K. Henderson

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 15TH day of February, 2018, the foregoing pleading was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's ECF system.

By: /s/ James A. Dyer